

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

MELVIN BARTON,)
Petitioner,)
v.) Case No. CIV-07-153-Raw
MIKE ADDISON, Warden,)
Respondent.)

ORDER

On August 9, 2010, Magistrate Judge West filed a Report and Recommendation, recommending that this action (commenced by petitioner's filing of a petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254) be dismissed. Petitioner has not filed an objection*. Based on the present record, the recommendation of the Magistrate Judge will be followed.

It is the Order of the court that the Report and Recommendation of the United States Magistrate Judge is hereby adopted and affirmed as the Order of the court. Petitioner's petition pursuant to 28 U.S.C. §2254 is hereby DISMISSED.

ORDERED THIS 13th DAY OF SEPTEMBER, 2010.


Ronald A. White
United States District Judge
Eastern District of Oklahoma

*According to the receipt filed September 8, 2010 (#18), petitioner received a copy of the Report and Recommendation on August 17, 2010.